

SEVENTY-SECOND DAY

(Tuesday, May 20, 1969)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by Senator Aikin.

The roll was called and the following Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Hightower, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Moore submitted the following reports:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 87, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 1018, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 461, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 431, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 1070, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 579, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

MOORE, Chairman.

C. S. H. B. No. 579 was read the first time.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 169, have had the same under consideration, and I am instructed to

report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

MOORE, Chairman.

C. S. H. B. No. 169 was read the first time.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 505, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

MOORE, Chairman.

C. S. S. B. No. 505 was read the first time.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 1188, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senator Connally submitted the following report:

Austin, Texas,
May 19, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Parks and Wildlife to which was referred S. B. No. 563, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass but that the Committee Substitute adopted in lieu thereof do pass, and be printed.

CONNALLY, Chairman.

C. S. S. B. No. 563 was read the first time.

Senator Hall submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 1263, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
CONNALLY
WORD

Senate Bill 840 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Aikin:

S. B. No. 840, A bill to be entitled "An Act amending Acts 1967, 60th Legislature, Chapter 221, so as to authorize Titus County Fresh Water Supply District No. 1 to cooperate with the State of Texas or any of its agencies in the conserving, transporting, distributing of fresh water; and declaring an emergency."

To the Committee on Water and Conservation.

House Bill 1263 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent H. B. No. 1263 was ordered not printed.

House Bill 1018 Ordered Not Printed

On motion of Senator Hightower and by unanimous consent H. B. No. 1018 was ordered not printed.

Presentation of Guests

The Presiding Officer recognized Senator Cole who, together with Senator Brooks, escorted the distinguished guests, Sheriff C. V. "Busster" Kern and Captain Grant Ilseng to the President's Rostrum.

Senator Cole then introduced Sheriff Kern and Captain Ilseng to the Members of Senate and presented them with an enrolled copy of Senate Concurrent Resolution No. 77 previously adopted, which expressed the appreciation of the Senate to Sheriff Kern and Captain Ilseng for the formation of a marine rescue unit.

Senate Bill 743 With House Amendments

Senator Moore called S. B. No. 743 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the following House amendments before the Senate:

Committee Amendment No. 1

Section 1. Amend S. B. No. 743 by deleting all language beneath the enacting clause and substituting in lieu thereof the following:

"Section 1. Article 4, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (compiled as Article 6687b of Vernon's Texas Civil Statutes), is amended by adding a new section, to be known as Section 23A to read as follows:

"Section 23A. (a) Any person whose license has been suspended for causes other than physical or mental disability or impairment may file with the judge of the district court having jurisdiction within the county of his residence, a verified petition setting forth in detail an essential need for operating a motor vehicle in the performance of his occupation or trade. The hearing on the petition may be ex parte in nature. The judge hearing the petition shall enter an order either finding that no essential need exists for the operation of a motor vehicle in the performance of the occupation or trade of the petitioner or enter an order finding an essential need for operating a motor vehicle in the performance of the occupation or trade of the petitioner. In the event the judge enters the order finding an essential need as set out herein, he shall also, as part of such finding, determine the actual need of the petitioner in operating a motor vehicle in his occupation or trade and shall restrict the use of the motor vehicle to the petitioner's actual occupation or trade and the right to drive to and from the place of employment of the petitioner. Such restrictions shall be definite as to hours of the day, days of the week, type of occupation and areas or routes of travel to be permitted, except that in any event the petitioner shall not be allowed to operate a motor vehicle more than ten (10) hours in any twenty-four (24) consecutive hours. Unless further extended at the discretion of the District court, orders entered by such court shall extend for a period of twelve (12) months or less from the date of the original suspension. A certified copy of the petition and the court order setting out the

judge's finding and the restrictions shall be forwarded to the Department.

"(b) Upon receipt of the court order set out in (a) above and after compliance with the provisions of the Texas Safety Responsibility Law, Art. 6701h, Vernon's Texas Civil Statutes, the Department shall issue an occupational license, showing on its face the restrictions set out in the order of the court.

"(c) Any person who violates the restrictions on his occupational license shall be guilty of a misdemeanor and upon conviction thereof shall be punished in the same manner as one convicted of driving a motor vehicle while license is suspended, and such occupational license shall be automatically cancelled.

"Sec. 2. Section 25(c) of Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (compiled as Article 6687b of Vernon's Texas Civil Statutes), is amended so as to hereafter read as follows:

"(c) For the purpose of this Act, the term 'conviction' shall mean a final conviction. Also, for the purpose of this Act, a forfeiture of bail or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction.

"Provided, however, that in case of conviction for any of the offenses enumerated in paragraph (a) of Section 24 of this Act, and the sentence of the court having been probated as provided in Articles 42.12 and 42.13 of the Texas Code of Criminal Procedure, such probation shall not mitigate against the suspension of the operator's, commercial operator's or chauffeur's license of the person convicted.

"Sec. 3. The fact that the law relating to drivers' licenses is now discriminatory in that it deprives many persons of the privilege of following their occupations and earning a living creates an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days in each House be suspended, and this rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Committee Amendment No. 2

Section 2. Amend S. B. No. 743 by deleting all above the enacting clause

and substituting in lieu thereof the following:

**"A BILL
TO BE ENTITLED**

"An Act amending Article IV, Chapter 173, Acts of the 47th Legislature, 1941 (codified as Article 6687b of Vernon's Texas Civil Statutes), relating to the issuance of driver's licenses and regulations pertaining thereto, by amending Section 25 and adding a new section providing for the issuance of an occupational license; providing for a court order relating to such occupational license; providing a penalty for violation; and declaring an emergency."

Floor Amendment 1

Amend S. B. No. 743 by adding the phrase after the word "petitioner" on line 47 of Committee Amendment No. 1 the following: "and shall require the petitioner to give proof of a valid policy of automobile liability insurance in accordance with the provisions of the Texas Safety Responsibility Law, Art. 6701h, Vernon's Annotated Texas Statutes."

Floor Amendment 2

Amend Committee Amendment No. 1 to S. B. No. 743 by striking lines 13, 14, 15, 16, 17, 18 on page 2 of the second printing thereof.

The House amendments were read.

Senator Moore moved that the Senate concur in the House amendments.

The motion prevailed.

Record of Votes

Senators Aikin and Blanchard asked to be recorded as voting "Nay" on the motion to concur in House amendments to S. B. No. 743.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 1435, A bill to be entitled "An Act authorizing creation of a Hospital District over part of Lime-

stone County, to be known as the South Limestone Hospital District; prescribing a procedure for an election on the creation of the District and the levy of a tax for Hospital District purposes; providing the powers of the District and its governing body; providing for the operation and financing of said District, including the procedures it is to follow; reciting proof of publication of constitutional notice; providing a severability clause; and declaring an emergency."

H. B. No. 566, A bill to be entitled "An Act amending Section 1 of Acts 1943, 48th Legislature, Chapter 335 (Section 1 of Article 969b, Vernon's Texas Civil Statutes) to delete the population bracket and the requirement that all cities involved be in the same county and to provide that cities and towns may contract with other governmental units and to add electric plants and systems to the purposes which are declared to be public purposes."

The House refused to concur in Senate amendments to House Bill No. 930 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. House conferees are: Sherman, Cory, Heatly, Price and Wayne.

The House refused to concur in Senate amendments to House Bill No. 80 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. House conferees are: Bass of Harris, Shannon, T., Solomon, Jones of Taylor and Ogg.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 230. House conferees are: Smith, Hinson, Atwell, Longoria, Bass of Harris.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 613. House conferees are: Stroud, Blanton, Holmes of Dallas, Shannon, Joe, and Shannon, Tommy. Conferees were instructed to not include Tarrant County or Bexar County in the provisions of the Bill.

H. B. No. 516, A bill to be entitled "An Act to amend Chapter 478 of the General and Special Laws of Texas, 45th Legislature, Regular Session,

1937, as amended by Senate Bill No. 461, page 62, Volume 1, General Laws, 46th Legislature, Regular Session, 1939, Chapter 301 of the General and Special Laws of the 47th Legislature, Regular Session, 1941, Chapter 155 and 274 of the General and Special Laws of Texas, 48th Legislature, Regular Session, 1943, Chapters 259 and 473 of the General and Special Laws of Texas, 52nd Legislature, Regular Session, 1951, and as amended by Senate Bill 263, Chapter 515, 54th Legislature, Regular Session, 1955, said laws pertaining to architecture and presently known as Title 10A, Article 249a of Vernon's Revised Civil Statutes of the State of Texas, so as to amend and revise the laws of Texas relating to architects and the practice of architecture; providing for a savings clause; and declaring an emergency."

H. B. No. 1448, A bill to be entitled "An Act providing for transfers of \$9,000,000 from the 'Operator's and Chauffeur's License Fund' and \$5,000,000 from the 'Motor Vehicle Inspection Fund' to the General Revenue Fund; providing for severability; providing for an effective date of the Act; and declaring an emergency."

H. B. No. 59, A bill to be entitled "An Act relating to the exposure of harmful materials to minors under 18 years of age; providing penalties; repealing Section 2, Article 527, Penal Code of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 52, A bill to be entitled "An Act relating to the counting of average daily attendance of pupils attending part-time vocational classes in a designated area vocational district and part time in their home district; amending Subsection c, Section 10, Chapter 236, Acts of the 59th Legislature, Regular Session, 1965 (Article 2802k, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1217, A bill to be entitled "An Act relating to depository interest on State Funds; and declaring an emergency."

H. B. No. 1046, A bill to be entitled "An Act amending Article 10.01 of the Texas Business Corporation Act, Chapter 64, Acts of the 54th Legislature, 1955, as amended, relating to fee

schedule; providing a severability clause; repealing conflicting laws; and declaring an emergency."

H. B. No. 1065, A bill to be entitled "An Act amending Section 4, Chapter 352, Acts of the 50th Legislature, Regular Session, 1947, as amended (codified as Article 6228a, Vernon's Texas Civil Statutes); by adding Subsections G-1 and G-2 after Subsection G of said Act; providing for allowing credit for military service prior to State employment for elective State officials, for appointive State officials and for State employees; providing for maximum service allowable; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Reports of Standing Committees

Senator Creighton, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation to which was referred S. B. No. 840, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Senator Jordan, by unanimous consent, submitted the following reports:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Labor and Management Relations, to which was referred S. B. 265, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

JORDAN, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Labor and Management Relations, to which was referred House Bill 156, have had the same under consideration,

and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

JORDAN, Chairman.

C. S. H. B. No. 156 was read the first time.

Senate Bill 840 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent S. B. No. 840 was ordered not printed.

Senate Bill 839 on First Reading

Senator Mauzy moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Word
Harris	

Absent

Hazlewood Wilson

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Mauzy:

S. B. No. 839, A bill to be entitled "An Act relating to the liability of a person in whose name a credit card is issued; amending the Business & Commerce Code; and declaring an emergency."

To the Committee on Commerce and Industry.

Senate Bill 841 on First Reading

Senator Mauzy moved that Senate Rule 108 and Section 5 of Article III

of the Senate Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Word
Hazlewood	

Absent

Connally Wilson

The following bill was then introduced, read first time and referred to the Committee indicate:

By Senator Mauzy:

S. B. No. 841, A bill to be entitled "An Act relating to workmen's compensation insurance for state employees; and declaring an emergency."

To the Committee on State Departments and Institutions.

Senate Bill 842 on First Reading

Senator Watson moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Harrington
Bates	Harris
Bernal	Hazlewood
Berry	Herring
Blanchard	Hightower
Bridges	Jordan
Brooks	Kennard
Christie	Mauzy
Cole	McKool
Creighton	Moore
Grover	Patman
Hall	Ratliff

Schwartz
Snelson
Strong

Watson
Word

Absent

Connally

Wilson

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Watson:

S. B. No. 842, A bill to be entitled "An Act amending Section 15A of Subdivision A, Part I, Article 3.39, Texas Insurance Code, same being S. B. No. 236, Acts of the 52nd Legislature, Regular Session, 1951, Page 868, Chapter 491, as amended, so as to permit life insurance companies to invest in bonds issued, assumed or guaranteed by the State of Israel, providing for severability and declaring an emergency."

To the Committee on County, District and Urban Affairs.

Senate Bill 843 on First Reading

Senator Watson moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Word
Hazlewood	

Absent

Bridges

Wilson

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Watson:

S. B. No. 843, A bill to be entitled "An Act amending Section 2 of Chap-

ter 320, Acts of the 59th Legislature, 1965, Regular Session; and declaring an emergency."

To the Committee on State Departments and Institutions.

Committee Substitute

House Bill 156 Ordered Not Printed

Senator Jordan asked unanimous consent not to print C. S. H. B. No. 156.

There was objection.

Senator Jordan then moved not to print C. S. H. B. No. 156.

The motion prevailed by the following vote:

Yeas—20

Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Schwartz
Hall	Snelson
Harrington	Strong
Herring	Watson
Hightower	Wilson

Nays—10

Aikin	Harris
Blanchard	Hazlewood
Connally	Moore
Creighton	Ratliff
Grover	Word

Absent

Cole

Senate Resolution 865

Senator Brooks offered the following resolution:

Whereas, The development of effective occupational training programs in the public educational institutions of Texas is vital to the industrial development; and

Whereas, The administration of many technical-vocational programs in Texas is under two or more State Agencies; and

Whereas, There now exists a critical need for coordination and cooperation in the administration of occupational training courses administered by more than one agency; and

Whereas, The 61st Legislature has passed Senate Bill 261 creating the State Advisory Council for Technical-Vocational Education and Governor Preston Smith has signed it into law; now, therefore, be it

Resolved, That the Senate of the 61st Legislature formally requests the State Advisory Council for Technical-Vocational Education to conduct a study and evaluation of public education programs in the field of occupational training which are administered in whole or in part by more than one State Agency, and report its findings and any legislative recommendations it might formulate to the 62nd Legislature convening in January, 1971.

The resolution was read and was adopted.

Senate Bill 844 on First Reading

By unanimous consent, Senator Schwartz moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Schwartz:

S. B. No. 844, A bill to be entitled "An Act relating to the pool system of alcoholic beverages storage; amending Subdivision (c), Subsection (1), Section 15e, Article I, Texas Liquor Control Act (Article 666-15e, Vernon's Texas Penal Code); requiring free toilets on certain licensed premises; amending Subsection (3), Section 5, Article II, Texas Liquor Control Act (Article 667-5, Vernon's Texas Penal Code); and declaring an emergency."

To the Committee on Jurisprudence.

Senate Concurrent Resolution 92

Senator Schwartz offered the following resolution:

S. C. R. No. 92, Memorializing Congress to change the deadline for State participation under the Federal "Urban Property Protection and Re-insurance Act of 1968" from August 1, 1969 to August 1, 1971.

Whereas, Congress has found that "(1) the vitality of many American cities is being threatened by the deterioration of their inner city areas; responsible owners of well-maintained residential, business, and other properties in many of these areas are unable to obtain adequate property insurance coverage against fire, crime, and other perils; the lack of such insurance coverage accelerates the deterioration of these areas by discouraging private investment and restricting the availability of credit to repair and improve property therein; and this deterioration poses a serious threat to the national economy; (2) recent riots and other civil commotion in many American cities have brought about abnormally high losses to the private property insurance industry for which adequate re-insurance cannot be obtained at reasonable cost, and the risk of such losses will make most lines of property insurance even more difficult to obtain; (3) the capacity of the private property insurance industry to provide adequate insurance is threatened, and the continuity of such property insurance protection is essential to the extension of credit in these areas; and (4) the national interest demands urgent action by the Congress to assure that essential lines of property insurance, including lines providing protection against riot and civil commotion damage will be available to property owners at reasonable cost," and

Whereas, In response to this grave problem, Congress enacted the "Urban Property Protection and Re-insurance Act of 1968," in order to "(1) encourage and assist the various State insurance authorities and the property insurance industry to develop and carry out statewide programs which will make necessary property insurance coverage against the fire, crime, and other perils more readily available for residential, business, and other properties meeting reasonable underwriting standards; and (2) provide a Federal program

of reinsurance against abnormally high property insurance losses resulting from riots and other civil commotion, placing appropriate financial responsibility upon the States to share in such losses," and

Whereas, The need for this program is well-recognized by the Legislature of the State of Texas, and

Whereas, This Act was enacted late in the Second Session of the 90th Congress, on August 1, 1968, a date on which this State's budgeting program is well under way, and

Whereas, In order to pledge monies of the State, certain strict procedures are required to be met by the Constitution of the State of Texas, and

Whereas, These procedures require both enabling legislation and specific appropriations, and

Whereas, The present time limit in the Federal Act for coming under this program is August 1, 1969, and

Whereas, The Legislature of the State of Texas is required by law to adjourn on June 2, 1969, and

Whereas, Such statutory and constitutional time limits preclude the present possibility of meeting the August 1, 1969, deadline of the Federal Act, and

Whereas, Such an event will work a great hardship on the people of Texas if the Federal deadline is not extended,

Therefore, be it resolved:

That the Legislature of the State of Texas respectfully memorialize Congress to amend the August 1, 1969, deadline of the "Urban Property Protection and Re-insurance Act" to read August 1, 1971; and

Be it further resolved:

That a copy of this Resolution be forwarded to each Senator and Representative from Texas, with the request that this Resolution be officially entered in the Congressional Record as a Memorial to Congress, and the Secretary of the Texas Senate is so instructed.

The resolution was read and was referred to the Committee on Insurance.

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 1438, To Committee on Parks and Wildlife.

H. B. No. 1425, To Committee on County, District and Urban Affairs.

H. B. No. 1424, To Committee on Education.

H. B. No. 1420, To Committee on State Departments and Institutions.

H. B. No. 1413, To Committee on Water and Conservation.

H. B. No. 1407, To Committee on County, District and Urban Affairs.

H. B. No. 1406, To Committee on Water and Conservation.

H. B. No. 1404, To Committee on County, District and Urban Affairs.

H. B. No. 1389, To Committee on Water and Conservation.

H. B. No. 1388, To Committee on County, District and Urban Affairs.

H. B. No. 1385, To Committee on County, District and Urban Affairs.

H. B. No. 1382, To Committee on County, District and Urban Affairs.

H. B. No. 1377, To Committee on County, District and Urban Affairs.

H. B. No. 1374, To Committee on County, District and Urban Affairs.

H. B. No. 1373, To Committee on County, District and Urban Affairs.

H. B. No. 1372, To Committee on County, District and Urban Affairs.

H. B. No. 1371, To Committee on County, District and Urban Affairs.

H. B. No. 1367, To Committee on County, District and Urban Affairs.

H. B. No. 1366, To Committee on County, District and Urban Affairs.

H. B. No. 1358, To Committee on County, District and Urban Affairs.

H. B. No. 1356, To Committee on County, District and Urban Affairs.

H. B. No. 1354, To Committee on Jurisprudence.

H. B. No. 1353, To Committee on Parks and Wildlife.

H. B. No. 1351, To Committee on County, District and Urban Affairs.	H. B. No. 952, To Committee on County, District and Urban Affairs.
H. B. No. 1347, To Committee on County, District and Urban Affairs.	H. B. No. 914, To Committee on State Departments and Institutions.
H. B. No. 1340, To Committee on County, District and Urban Affairs.	H. B. No. 912, To Committee on Interstate Cooperation.
H. B. No. 1337, To Committee on Legislative, Congressional and Judicial Districts.	H. B. No. 897, To Committee on Education.
H. B. No. 1336, To Committee on Water and Conservation.	H. B. No. 895, To Committee on Jurisprudence.
H. B. No. 1327, To Committee on County, District and Urban Affairs.	H. B. No. 856, To Committee on Agriculture and Livestock.
H. B. No. 1316, To Committee on County, District and Urban Affairs.	H. B. No. 823, To Committee on State Affairs.
H. B. No. 1266, To Committee on County, District and Urban Affairs.	H. B. No. 808, To Committee on County, District and Urban Affairs.
H. B. No. 1241, To Committee on Oil and Gas.	H. B. No. 790, To Committee on State Affairs.
H. B. No. 1218, To Committee on County, District and Urban Affairs.	H. B. No. 769, To Committee on Jurisprudence.
H. B. No. 1160, To Committee on Parks and Wildlife.	H. B. No. 768, To Committee on County, District and Urban Affairs.
H. B. No. 1147, To Committee on State Affairs.	H. B. No. 764, To Committee on Agriculture and Livestock.
H. B. No. 1139, To Committee on Water and Conservation.	H. B. No. 742, To Committee on County, District and Urban Affairs.
H. B. No. 1126, To Committee on County, District and Urban Affairs.	H. B. No. 740, To Committee on County, District and Urban Affairs.
H. B. No. 1122, To Committee on Jurisprudence.	H. B. No. 725, To Committee on Public Health.
H. B. No. 1086, To Committee on Interstate Cooperation.	H. B. No. 686, To Committee on County, District and Urban Affairs.
H. B. No. 1069, To Committee on State Affairs.	H. B. No. 681, To Committee on Youth Affairs.
H. B. No. 1063, To Committee on Education.	H. B. No. 643, To Committee on Jurisprudence.
H. B. No. 1053, To Committee on County, District and Urban Affairs.	H. B. No. 513, To Committee on State Departments and Institutions.
H. B. No. 1052, To Committee on County, District and Urban Affairs.	H. B. No. 506, To Committee on Youth Affairs.
H. B. No. 1015, To Committee on State Departments and Institutions.	H. B. No. 459, To Committee on Public Health.
H. B. No. 1011, To Committee on County, District and Urban Affairs.	H. B. No. 403, To Committee on Jurisprudence.
H. B. No. 1002, To Committee on County, District and Urban Affairs.	H. B. No. 382, To Committee on County, District and Urban Affairs.

H. B. No. 362, To Committee on Education.

H. B. No. 276, To Committee on Education.

H. B. No. 263, To Committee on Education.

H. B. No. 176, To Committee on Water and Conservation.

H. B. No. 140, To Committee on State Affairs.

H. B. No. 96, To Committee on State Departments and Institutions.

H. B. No. 84, To Committee on Transportation.

H. B. No. 53, To Committee on Jurisprudence.

H. B. No. 44, To Committee on Privileges and Elections.

H. B. No. 24, To Committee on Finance.

H. B. No. 566, To Committee on County, District and Urban Affairs.

H. B. No. 1435, To Committee on County, District and Urban Affairs.

Reports of Standing Committees

Senator Hall, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 768, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
CONNALLY
WORD

Senator Creighton, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation to which was referred H. B. No. 1389, have had the

same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Senator Hall, by unanimous consent, submitted the following reports:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 1404, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 1265, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
WORD
CONNALLY

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 647, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
WORD
CONNALLY

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs to which was referred H. B. No. 1375, have had the same under consideration, and we are instructed to report

it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
WORD
CONNALLY

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir, We, your Committee on County, District and Urban Affairs to which was referred H. B. No. 796, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
WORD
CONNALLY

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs to which was referred H. B. No. 1316, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
WORD
CONNALLY

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs to which was referred H. B. No. 1052, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
WORD
CONNALLY

Senator Snelson, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Commerce and Industry to which was re-

ferred S. B. No. 839, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SNELSON, Chairman
BATES
BRIDGES
AIKIN
McKOOL

Senator Creighton, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation to which was referred H. B. No. 1390, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 46, A resolution by the Senate of the State of Texas, the House of Representatives concurring, that the Committee for the Study of Land Use and Environmental Control be reconstituted.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Committee Substitute Senate Bill 282 on Second Reading

On motion of Senator Hightower, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 282, A bill to be entitled "An Act amending Section 3, Chapter 397, Acts of the 54th Legislature, 1955 (Article 3.70-3, Vernon's Texas Insurance Code), relating to required provisions in accident and

sickness policies, to reduce from three years to two years the period during which the issuer of a policy may assert certain defenses; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Committee Substitute
Senate Bill 282 on Third Reading**

Senator Hightower moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 282 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Absent

Cole

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Senate Joint Resolution 32 on
Second Reading**

On motion of Senator McKool, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. J. R. No. 32, Proposing an amendment to Section 51, Article XVI, Constitution of the State of Texas, increasing the value of the homestead which is exempt from forced sale.

The resolution was read second time and passed to engrossment.

Record of Vote

Senator Hightower asked to be recorded as voting "Nay" on the passage of the resolution to engrossment.

**Senate Joint Resolution 32
on Third Reading**

Senator McKool moved that the Constitutional Rule and Senate Rule 30 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 32 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Nays—1

Hightower

Message From the House

Hall of the House of Representatives,
Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 435 by vote of 136 ayes, 0 noes.

The House has concurred in Senate amendments to House Bill No. 749 by vote of 137 ayes, 0 noes.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 757 on Second Reading

On motion of Senator McKool, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 757, A bill to be entitled "An Act relating to an increase in the value of the homestead which is exempt from forced sale; amending Article 3833, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

The bill was read second time.

Senator McKool offered the following Committee Amendment to the bill:

Amend S. B. 757, Section 1, line 23, by substituting within line 23 the word "ten (10)" for the word "twenty (20)."

The Committee Amendment was read and was adopted.

The bill as amended was passed to engrossment.

Senate Bill 757 on Third Reading

Senator McKool moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 757 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Nays—1

Hightower

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Concurrent Resolution 45 on Second Reading

On motion of Senator Moore, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

H. C. R. No. 45, Allowing Texas A&M University to acquire certain property for the Texas Agricultural Experiment Station.

The resolution was read.

On motion of Senator Moore, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Bill 845 on First Reading

By unanimous consent, Senator Creighton moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Bernal
Bates	Berry

Blanchard	Jordan
Bridges	Kennard
Brooks	Mauzy
Christie	McKool
Cole	Moore
Connally	Patman
Creighton	Ratliff
Grover	Schwartz
Hall	Snelson
Harrington	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word
Hightower	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Creighton:

S. B. No. 845, A bill to be entitled "An Act relating to the governance, operation, support, and maintenance of The University of Texas System, as now or hereafter constituted, and the component institutions thereof; defining certain authority of the Board of Regents; authorizing the Board of Regents to promulgate and enforce certain rules and regulations; repealing all laws in conflict; providing for severability; and declaring an emergency."

To the Committee on State Departments and Institutions.

Report of Standing Committee

Senator Brooks by unanimous consent submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institution to which was referred S. B. No. 845, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROOKS, Chairman
HERRING
WILSON
BERNAL
BRIDGES
MAUZY
AIKIN

Motion Not to Print Senate Bill 845

Senator Creighton asked unanimous consent not to print S. B. No. 845.

There was objection.

Senator Creighton then moved not to print S. B. No. 845.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—16

Aikin	Harris
Bates	Hazlewood
Bernal	Herring
Bridges	Hightower
Brooks	Moore
Christie	Ratliff
Cole	Snelson
Creighton	Wilson

Nays—13

Berry	McKool
Blanchard	Patman
Grover	Schwartz
Hall	Strong
Harrington	Watson
Jordan	Word
Mauzy	

Absent

Connally	Kennard
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Senate Bill 576 on Second Reading

On motion of Senator Blanchard, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 576, A bill to be entitled "An Act amending Chapter 1 of the Insurance Code, as amended, by adding a new Article, numbered Article 1.14-3, on the advertising of insurance, etc., and declaring an emergency."

The bill was read second time.

Senator Blanchard offered the following Committee Amendment to the bill:

Amend S. B. No. 576 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. The purpose of this article is to regulate in Texas the advertising of accident and health insurance policies and group hospital service plans by prohibiting advertising which is untrue, deceptive or misleading.

"Section 2. This article applies to reciprocal and interinsurance exchanges as well as all other insurers,

including stipulated premium companies, engaged in the business of accident and health insurance, and to group hospital service corporations.

"Section 3. No accident and health insurer or group hospital service corporation shall in Texas:

"(a) Make, publish, disseminate or circulate any false or misleading statement as to the dividends or share or surplus previously paid on policies, or as to the system upon which any insurer or plan operates, or, using any name or title of any policy or class of policies, misrepresent the true nature thereof; or

"(b) Make, publish, disseminate, circulate or place before the public, or cause directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in a newspaper, magazine, or other publication, or in the form of a notice, circular, pamphlet, letter or poster, or over any radio or television station, or in any other way, an advertisement, announcement or statement concerning any policy of insurance or group hospital service plan or the business of accident and health insurance or group hospital service plans or with respect to any person, firm or corporation covered by this article, in the conduct of an insurance or group hospital service business, which is untrue, deceptive or misleading.

"Section 4. The State Board of Insurance shall, from time to time, after notice and hearing, promulgate reasonable rules and regulations, and amendments and additions thereto, as are necessary to implement Section 3 of this Article and to enforce the standards of advertising material established therein. In promulgating any such rule or regulation, the Board shall give consideration to the need and desirability of nation-wide advertising, and the Board is hereby granted the authority to consult with insurance authorities of any other jurisdiction and their representatives, individually or by way of associations or committees, to seek uniformity in advertising requirements.

"Section 5. Any person violating any provision of this Article or any final order of the Board made in accordance herewith shall be subject to the provisions of Article 21.21 relative to the issuance of cease and desist orders and the application of penalties, the same as if Section 3 of this article was set forth and defined

in Section 4 of said Article 21.21. The Board may also suspend or revoke the license of any insurer, agent, person or organization enumerated in Section 2 of this article.

"Section 6. This Article supplements and does not replace any other laws relative to the advertising of accident and health insurance."

The Committee Amendment was read and was adopted.

On motion of Senator Blanchard, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 576 on Third Reading

Senator Blanchard moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 576 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Connally
Bates	Creighton
Bernal	Grover
Berry	Hall
Blanchard	Harrington
Bridges	Harris
Brooks	Hazlewood
Christie	Herring
Cole	Hightower

Jordan	Schwartz
Kennard	Snelson
Mauzy	Strong
McKool	Watson
Moore	Wilson
Patman	Word
Ratliff	

Senate Bill 839 Ordered Not Printed

On motion of Senator Mauzy, and by unanimous consent, S. B. No. 839 was ordered not printed.

Vote on Final Passage of Senate Joint Resolution 32 Reconsidered

On motion of Senator McKool, and by unanimous consent, the vote by which S. J. R. No. 32 was finally passed was reconsidered (he having voted on the prevailing side).

Question—Shall S. J. R. No. 32 be finally passed?

Senator McKool offered the following amendment to the resolution:

Amend S. J. R. 32:

Substitute the word "ten" after "value" and before "thousand" in line 23 for the word "twenty" so that it will read "ten thousand".

The amendment was read and was adopted by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The resolution was again passed by the following vote:

Yeas—30

Aikin	Bridges
Bates	Brooks
Bernal	Christie
Berry	Cole
Blanchard	Connally

Creighton	McKool
Grover	Moore
Hall	Patman
Harrington	Ratliff
Harris	Schwartz
Hazlewood	Snelson
Herring	Strong
Jordan	Watson
Kennard	Wilson
Mauzy	Word

Nays—1

Hightower

House Bill 1390 Ordered Not Printed

On motion of Senator Brooks, and by unanimous consent, H. B. No. 1390 was ordered not printed.

**Committee Substitute
Senate Bill 391 on Second Reading**

On motion of Senator Brooks, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 391, A bill to be entitled "An Act amending Section 7, Article 8306, Revised Civil Statutes of Texas, 1925, as amended, relating to the right of an injured employee entitled to medical aid and treatment under the provisions of the workmen's compensation law to select a licensed physician or licensed chiropractor of his own choice for consultation; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Committee Substitute
Senate Bill 391 on Third Reading**

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 391 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Cole
Bates	Connally
Bernal	Creighton
Berry	Grover
Blanchard	Hall
Bridges	Harrington
Brooks	Harris
Christie	Hazlewood

Herring	Ratliff
Hightower	Schwartz
Jordan	Snelson
Kennard	Strong
Mauzy	Watson
McKool	Wilson
Moore	Word
Patman	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 798 on Second Reading

On motion of Senator Word, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 798, A bill to be entitled "An Act relating to the creation of the office of Ombudsman for the State of Texas; providing for powers, duties, and the administration of his office; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 798 on Third Reading

Senator Word moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 798 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 136, In memory of Mrs. Ben T. Jordan.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 811 on Second Reading

On motion of Senator Jordan, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 811, A bill to be entitled "An Act relating to certain motor vehicle liability insurance policies involving vehicles owned or held for sale or repair by a person engaged in such business and the applicability of such policies to persons other than the named insured; amending the Texas Insurance Code by adding Article 5.06-2; providing for severability; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 811 on Third Reading

Senator Jordan moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 811 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Cole
Bates	Connally
Bernal	Creighton
Berry	Grover
Blanchard	Hall
Bridges	Harrington
Brooks	Harris
Christie	Hazlewood

Herring	Ratliff
Hightower	Schwartz
Jordan	Snelson
Kennard	Strong
Mauzy	Watson
McKool	Wilson
Moore	Word
Patman	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

**Committee Substitute
Senate Bill 668 on Second Reading**

On motion of Senator Bridges, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 668, A bill to be entitled "An Act to secure for Texas citizens flood insurance coverage under the National Flood Insurance Act of 1968; providing for flood control programs within the State; granting necessary powers and authorizations to political subdivisions, the State Board of Insurance and the Texas Water Development Board; defining certain words and phrases; stating a purpose; declaring a title, providing for the adoption and promulgation of rules and regulations; declaring an intent to satisfy the Federal deadline date for qualifying for insurance; declaring an emergency."

The bill was read second time and was passed to engrossment.

**Committee Substitute
Senate Bill 668 on Third Reading**

Senator Bridges moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 668 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Bills and Resolutions Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. B. No. 304, A bill to be entitled "An Act relating to the abolishing of the office of county superintendent in certain counties; and declaring an emergency."

H. B. No. 21, A bill to be entitled "An Act removing quail in Lamb County as an exemption from the coverage of the Uniform Wildlife Regulatory Act; etc.; and declaring an emergency."

H. B. No. 483, A bill to be entitled "An Act relating to the transfer of school district funds from one county depository to another; etc.; and declaring an emergency."

H. B. No. 1361, A bill to be entitled "An Act relating to the criminal ju-

isdiction of the county and district courts in Franklin County; etc., and declaring an emergency."

H. B. No. 832, A bill to be entitled "An Act relating to the supplemental compensation of district judges in certain counties; etc.; and declaring an emergency."

H. B. No. 298, A bill to be entitled "An Act relating to and fixing the maximum salaries of the official shorthand reporters for the 92nd, 93rd and 139th Judicial Districts of Texas; and declaring an emergency."

H. B. No. 379, A bill to be entitled "An Act changing the name of the Texas Liquor Control Board to the Texas Alcoholic Beverage Commission; and declaring an emergency."

H. B. No. 690, A bill to be entitled "An Act relating to the abolition of the office of county superintendent and transfer of duties to the county judge in certain counties; and declaring an emergency."

H. B. No. 254, A bill to be entitled "An Act relating to segregated school census rolls; amending Article 2817, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 346, A bill to be entitled "An Act relating to the annual salaries of assistants to the county school superintendent in certain counties; and declaring an emergency."

H. B. No. 960, A bill to be entitled "An Act adding wool, mohair, oilseed products and other textile products to the list of farm products whose increased use and outlet shall be stressed by the various State Agriculture Agencies, Departments, and State Educational Institutions; etc., and declaring an emergency."

H. B. No. 1386, A bill to be entitled "An Act changing the terms of the 5th and 102nd District Courts; etc.; and declaring an emergency."

H. B. No. 1343, A bill to be entitled "An Act relating to the inclusion of all game animals in San Saba County under the Uniform Wildlife Regulatory Act; etc.; and declaring an emergency."

H. B. No. 1325, A bill to be entitled "An Act repealing Chapter 140, Acts

of the 58th Legislature, 1963, as amended (Article 8280-281, Vernon's Texas Civil Statutes), relating to the Dalby Springs Conservation District; and declaring an emergency."

H. B. No. 519, A bill to be entitled "An Act validating the boundaries and creation of Hidalgo County Road District No. 14, of Hidalgo County, Texas, and the bonds authorized by election in the district on November 2, 1968; etc.; and declaring an emergency."

H. B. No. 1346, A bill to be entitled "An Act relating to the abolition of the office of county superintendent in certain counties; and declaring an emergency."

H. B. No. 802, A bill to be entitled "An Act removing Kendall County from the Blanco Memorial Hospital District; etc.; and declaring an emergency."

H. B. No. 1102, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Ponderosa Forest Utility District'; etc., and declaring an emergency."

H. B. No. 605, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Belleau Wood East Utility District'; etc., and declaring an emergency."

H. B. No. 322, A bill to be entitled "An Act to provide that a tax collector may issue to certain people under certain circumstances a certificate showing that neither their land nor themselves are liable for delinquent taxes and that the liability for such taxes is thereafter a personal liability of the person under whom the taxes became delinquent and thereby making a court action to accomplish the same thing unnecessary; etc., and declaring an emergency."

H. B. No. 148, A bill to be entitled "An Act relating to adjustment of the local fund assignment for school districts having a certain portion of their total scholastic population composed of residents and transfers of tax-exempt institutions for orphan, dependent, or neglected children; etc.; and declaring an emergency."

H. B. No. 526, A bill to be entitled "An Act amending Chapter 410, Acts

of the 53rd Legislature, Regular Session, 1953 (Article 6674v, Vernon's Texas Civil Statutes), by adding a new section authorizing the expenditure by Texas Turnpike Authority of funds available to it under any trust agreement securing the Turnpike Revenue Bonds of any project for the purpose of studying the feasibility of other Turnpike Projects; etc., and declaring an emergency."

H. C. R. No. 120, Inviting Senator Ralph W. Yarborough to address a joint session of the House of Representatives and the Senate of the 61st Legislature in the Hall of the House on Monday, May 26, 1969, at 11 a.m.

H. C. R. No. 125, Donating the floodlights that are stored in the Capitol to Sutton Park.

H. C. R. No. 129, Congratulating the Port Arthur Police Department.

S. B. No. 243, A bill to be entitled "An Act eliminating the termination date for financial assistance by the Texas Water Development Board; eliminating procedures prescribed for such termination; etc.; and declaring an emergency."

S. C. R. No. 83, Expressing the intent of the Legislature in passing S. B. No. 260.

(President in the Chair.)

Senate Bill 751 with House Amendment

Senator Cole called S. B. No. 751 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Amendment No. 1

Amend S. B. No. 751 as follows:

(1) Amend Section 8 to read as follows:

"Section 8. Relationship to other laws relating to the handicapped. The provisions of this Act are in addition to those provisions relating to the use of white canes by the blind set forth in Senate Bill No. 2, Acts of the 52nd Legislature, Regular Session, 1951, as amended by Senate Bill No. 521, Acts of the 60th Legislature, Regular Session, 1967 (Article 6701e, Vernon's Texas Civil Statutes, as

amended). The provisions of this Act shall be construed in a manner compatible with all other state laws relating to the handicapped except for those laws expressly repealed in Section 9 of this Act."

(2) Amend Section 9 to read as follows:

"Section. 9. Repealer. The following laws are repealed: House Bill No. 187, Acts of the 48th Legislature, Regular Session, 1943 (Article 889a, Vernon's Texas Civil Statutes) and House Bill No. 709, Acts of the 49th Legislature, Regular Session, 1945 (Article 4596a, Vernon's Texas Civil Statutes)."

(3) Amend the caption of the bill to reflect the change in citations provided for by House Amendments 1 and 2.

(4) Amend Section 11 to read as follows:

"Sec. 11. Emergency. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended; and that this Act take effect and be in force on the thirtieth day after its passage, and it is so enacted."

The House amendment was read.

Senator Cole moved that the Senate concur in the House amendments.

The motion prevailed.

House Bill 1404 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent H. B. No. 1404 was ordered not printed.

House Bill 768 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent H. B. No. 768 was ordered not printed.

Presentation of Guest

The President recognized as a guest in the Senate today The Honorable Mark Hogan, Lieutenant Governor of Colorado, and requested him to address the Senate.

Governor Hogan addressed the Senate, stating his belief in the necessity to strengthen State Government. Governor Hogan stated further that State Government falls between Fed-

eral Government which cannot reach the personal feelings of the people and the local level of government which is so close to the people that it can't handle situations in a proper manner, and that State Government has a significant responsibility and role in this direction. He expressed the desire that all States join together in modernizing State Government and bringing it up to date, stated that the States of Colorado and Texas have many mutual problems, including an archaic Constitution.

Governor Hogan expressed the hope that the States would face up to their awesome responsibilities and move into the second half of the twentieth century.

He expressed appreciation for the warm welcome which had been extended to him and invited the Members of the Senate to visit Colorado.

The Members of the Senate gave Governor Hogan a standing ovation.

Reports of Standing Committees

Senator Harrington, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Interstate Cooperation, to which was referred H. B. No. 912, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARRINGTON,
Chairman
MAUZY
MOORE
BERNAL
BLANCHARD

Senator Hall, by unanimous consent, submitted the following reports:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 1337, have had the same under consideration, and we are instructed to report it back to the Senate with the recom-

mendation that it do pass and be printed.

HALL, Chairman
WORD

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 1358, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
WORD

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 1366, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
WORD

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 1356, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
WORD
CONNALLY

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 1218, have had the same under consideration, and we are instructed to report it back to the Senate with the recom-

mendation that it do pass and be printed.

HALL, Chairman
WORD
CONNALLY

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred S. B. No. 842, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
WORD
CONNALLY

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 1435, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
WORD
CONNALLY

Senator Watson, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to which was referred H. B. No. 649, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WATSON, Chairman
PATMAN
MAUZY
JORDAN
AIKIN
MOORE
SNELSON
WILSON

Senator Brooks, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 843, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROOKS, Chairman
HERRING
PATMAN
MAUZY
McKOOL
AIKIN

Senator Connally, by unanimous consent, submitted the following reports:

May 20, 1969.
Austin, Texas,

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Parks and Wildlife, to which was referred H. B. No. 1438, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

CONNALLY,
Chairman
BLANCHARD

May 16, 1969.
Austin, Texas,

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Parks and Wildlife, to which was referred H. B. No. 1306, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CONNALLY,
Chairman
BLANCHARD

May 16, 1969.
Austin, Texas,

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Parks and Wildlife, to which was referred H. B. No. 335, have had the same under consideration, and we are instructed to report it back to the Sen-

ate with the recommendation that it do pass and be printed.

CONNALLY,
Chairman
BLANCHARD

May 16, 1969.
Austin, Texas,

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Parks and Wildlife, to which was referred H. B. No. 1307, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CONNALLY,
Chairman
BLANCHARD

May 20, 1969.
Austin, Texas,

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Parks and Wildlife, to which was referred H. B. No. 1308, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CONNALLY,
Chairman
BLANCHARD

Senator Kennard, by unanimous consent, submitted the following report:

May 20, 1969.
Austin, Texas,

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Public Health, to which was referred H. B. No. 725, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KENNARD, Chairman
CHRISTIE
WILSON
SNELSON
BROOKS
JORDAN
COLE
HERRING

Senator Brooks, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred H. B. No. 1420, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROOKS, Chairman
BERNAL
BRIDGES
PATMAN
MAUZY
AIKIN

House Bill 1356 Ordered Not Printed

On motion of Senator Bates and by unanimous consent H. B. No. 1356 was ordered not printed.

House Bill 796 Ordered Not Printed

On motion of Senator Strong and by unanimous consent H. B. No. 796 was ordered not printed.

House Bill 1265 Ordered Not Printed

On motion of Senator Strong and by unanimous consent H. B. No. 1265 was ordered not printed.

House Bill 1375 Ordered Not Printed

On motion of Senator Strong and by unanimous consent H. B. No. 1375 was ordered not printed.

House Bill 335 Ordered Not Printed

On motion of Senator Strong and by unanimous consent H. B. No. 335 was ordered not printed.

Senate Concurrent Resolution 93

Senator Wilson offered the following resolution:

S. C. R. No. 93, Recalling H. B. No. 684, H. B. No. 874, H. B. No. 547, H. B. No. 933, H. B. No. 934 and H. B. No. 1273 from the House of Representatives.

Whereas, The Senate has passed H. B. No. 684, H. B. No. 874, H. B. No. 547, H. B. No. 933, H. B. No. 934 and H. B. No. 1273 and returned them to the House of Representatives; and

Whereas, The Senate has reconsidered the vote by which H. B. No.

684 H. B. No. 874, H. B. No. 547, H. B. No. 933, H. B. No. 934 and H. B. No. 1273 were finally passed and desires the return of these bills for further consideration; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the House be and is hereby requested to return to the Senate for further consideration H. B. No. 684, H. B. No. 874, H. B. No. 547, H. B. No. 933, H. B. No. 934, and H. B. No. 1273.

WILSON
SCHWARTZ

The resolution was read.

On motion of Senator Wilson, and by unanimous consent, the resolution was considered immediately and was adopted.

House Bill 1438 Ordered Not Printed

On motion of Senator Watson and by unanimous consent H. B. No. 1438 was ordered not printed.

House Bill 1435 Ordered Not Printed

On motion of Senator Watson and by unanimous consent H. B. No. 1435 was ordered not printed.

House Bill 649 Ordered Not Printed

On motion of Senator Watson and by unanimous consent H. B. No. 649 was ordered not printed.

Senate Bill 842 Ordered Not Printed

On motion of Senator Watson and by unanimous consent S. B. No. 842 was ordered not printed.

Senate Bill 843 Ordered Not Printed

On motion of Senator Watson and by unanimous consent S. B. No. 843 was ordered not printed.

House Bill 1218 Ordered Not Printed

On motion of Senator Watson and by unanimous consent H. B. No. 1218 was ordered not printed.

Senate Resolution 870

Senator Patman offered the following resolution:

Whereas, Agriculture and related businesses in Texas contribute substantially to the incomes of four out of every ten Texas citizens in private employment; and

Whereas, The growth and future prosperity of the entire agri-business segment of the Texas economy in future years is of vital concern to the members of the Texas Senate, and every effort must be made to identify areas of necessary state support and assistance, together with those fields best developed by cooperative endeavors with federal and local governments and private enterprise; and

Whereas, The discovery and perfection of new and improved agricultural products, the dissemination to farm enterprises of technical knowledge important to economic success and operational efficiency, and the achievement of proper understanding of the importance of agriculture to all Texans requires renewed effort in the decade of the 1970's when, given cooperative and informed leadership, the potential for Texas agriculture can be fully realized; now, therefore, be it

Resolved, That a special interim committee of the Texas Senate be hereby authorized to consist of three members of the Senate appointed by the Lieutenant Governor, who shall appoint one of the three as Chairman, to serve during the interim between the close of the Regular Session of the 61st Legislature and the issuance of its report during the Regular Session of the 62nd Legislature, such interim committee to be authorized to appoint and establish such advisory committees of private citizens as it deems helpful to its purpose, which shall be to study all means by which development of the Texas agricultural production potential for the next decade can be encouraged and realized, and to make such recommendations to the Regular Session of the 62nd Legislature as may, in its opinion, serve to foster such goal; and be it further.

Resolved, That the staff of the Texas Legislative Council be and it is hereby requested to assist the Committee in this study; and, be it further

Resolved, That the Committee shall prepare a budget for the operating expenses of said Committee, which shall be submitted to the Contingent Expenses Committee of the Senate, and no expenditures shall be made until a budget has been approved.

PATMAN
WORD

The resolution was read and was adopted.

House Bill 725 Ordered Not Printed

On motion of Senator Aikin and by unanimous consent H. B. No. 725 was ordered not printed.

Recess

On motion of Senator Aikin the Senate at 12:15 o'clock a.m. took recess until 2:00 o'clock p.m. today.

After Recess

The Presiding Officer (Senator Aikin in the Chair) called the Senate to order at 2:00 o'clock p.m. today.

Leave of Absence

Senator Kennard was granted leave of absence for the remainder of today on account of important business on motion of Senator Hightower.

Reports of Standing Committees

Senator Hazlewood, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Finance, to which was referred H. B. No. 74, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HAZLEWOOD, Chairman.

Senator Creighton, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir, We, your Committee on Water and Conservation, to which was referred H. B. No. 1139, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 52, To Committee on Education.

H. B. No. 516, To Committee on State Departments and Institutions.

H. B. No. 1046, To Committee on Commerce and Industry.

H. B. No. 1065, To Committee on State Affairs.

H. B. No. 1217, To Committee on Finance.

H. B. No. 1448, To Committee on Finance.

Reports of Standing Committees

Senator Brooks, by unanimous consent, submitted the following reports:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 832, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROOKS, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 833, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

BROOKS, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 841, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROOKS, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 834, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROOKS, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred H. B. No. 96, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROOKS, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred H. B. No. 914, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROOKS, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred H. B. No. 513, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROOKS, Chairman.

Senator Aikin, by unanimous consent, submitted the following reports:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 263, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 362, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. C. R. No. 106, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. C. R. No. 123, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 276, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 821, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 662, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

House Bill 1139 Ordered Not Printed

On motion of Senator Bates and by unanimous consent H. B. No. 1139 was ordered not printed.

Motion to Place Senate Bill 596 on Second Reading

Senator Herring asked unanimous consent to suspend the regular order of business and take up S. B. No. 596 for consideration at this time.

There was objection.

Senator Herring then moved to suspend the regular order of business and take up S. B. No. 596 for consideration at this time.

The motion was lost by the following vote:

Yeas—10

Bates	Herring
Creighton	Hightower
Harrington	McKool
Harris	Moore
Hazlewood	Snelson

Nays—17

Aikin	Connally
Bernal	Hall
Berry	Jordan
Blanchard	Mauzy
Bridges	Patman
Brooks	Ratliff
Christie	Schwartz

Strong
Watson

Word

Absent

Cole
Grover

Wilson

Absent—Excused

Kennard

House Bill 1306 Ordered Not Printed

On motion of Senator Strong and by unanimous consent H. B. No. 1306 was ordered not printed.

House Bill 1307 Ordered Not Printed

On motion of Senator Strong and by unanimous consent H. B. No. 1307 was ordered not printed.

House Bill 1308 Ordered Not Printed

On motion of Senator Strong and by unanimous consent H. B. No. 1308 was ordered not printed.

Reports of Standing Committee

Senator Creighton, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir, We, your Committee on Water and Conservation to which was referred H. B. No. 1318, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Senator Bernal, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions to which was referred H. B. No. 516, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BERNAL, Vice-Chairman.
AIKIN
BRIDGES

HERRING
MAUZY
McKOOL
PATMAN
WILSON

Senator Hall, by unanimous consent, submitted the following reports:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs to which was referred H. B. No. 1328, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
CONNALLY
WORD

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs to which was referred H. B. No. 740, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
CONNALLY
WORD

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs to which was referred H. B. No. 1388, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
CONNALLY
WORD

Senator Creighton, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation to which was referred H. B. No. 1360, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.
CHRISTIE
HALL
SNELSON
BERNAL
BLANCHARD
STRONG
CONNALLY

Senator Hall, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs to which was referred House Bill No. 1377, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman.
CONNALLY
WORD

Senator Wilson, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Banking to which was referred H. B. No. 965, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WILSON, Chairman.
McKOOL
HALL
RATLIFF
HARRIS
CONNALLY
BRIDGES
WORD

Senator Hall, by unanimous consent, submitted the following reports:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to

which was referred H. B. No. 1357, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
WORD
CONNALLY

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 1424, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
WORD
CONNALLY

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 382, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
WORD
CONNALLY

(President in the Chair.)

Senate Bill 840 on Second Reading

Senator Aikin moved that Senate Rules 13, 30, 110 and 36 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 840 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Bridges
Bates	Brooks
Bernal	Christie
Berry	Cole
Blanchard	Connally

Creighton	McKool
Grover	Moore
Hall	Patman
Harrington	Ratliff
Harris	Schwartz
Hazlewood	Snelson
Herring	Strong
Hightower	Watson
Jordan	Wilson
Mauzy	Word

Absent—Excused

Kennard

The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 840, A bill to be entitled "An Act Amending Acts 1967, 60th Legislature, Chapter 221, so as to authorize Titus County Fresh Water Supply District No. 1 to cooperate with the State of Texas or any of its agencies in the conserving, transporting and distributing of fresh water; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 840 on Third Reading

The Constitutional Rule requiring bills to read on three several days having been suspended, the President laid S. B. No. 840 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

Leave of Absence

Senator Grover was granted leave of absence for the remainder of today

on account of important business on motion of Senator Hightower.

Senate Bill 175 on Second Reading

Senator Bridges asked unanimous consent to suspend the regular order of business and take up S. B. No. 175 for consideration at this time.

There was objection.

Senator Bridges then moved to suspend the regular order of business and take up S. B. No. 175 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Aikin	Hightower
Bates	Jordan
Bernal	Mauzy
Berry	McKool
Blanchard	Patman
Bridges	Schwartz
Brooks	Snelson
Christie	Watson
Cole	Wilson
Hall	Word
Harrington	

Nays—8

Connally	Herring
Creighton	Moore
Harris	Ratliff
Hazlewood	Strong

Absent—Excused

Grover	Kennard
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The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 175, A bill to be entitled "An Act creating and establishing in Corpus Christi, Nueces County, Texas, a fully State supported, coeducational institution of higher learning, to be known as Corpus Christi State University, etc.; and declaring an emergency."

The bill was read second time.

Question—Shall S. B. No. 175 be passed to engrossment?

House Bill 1318 Ordered Not Printed

On motion of Senator Bates, and by unanimous consent, H. B. No. 1318 was ordered not printed.

House Bill 1366 Ordered Not Printed

On motion of Senator Aikin, and by unanimous consent, H. B. No. 1366 was ordered not printed.

House Bill 1358 Ordered Not Printed

On motion of Senator Aikin, and by unanimous consent, H. B. No. 1358 was ordered not printed.

House Bill 1389 Ordered Not Printed

On motion of Senator Word, and by unanimous consent, H. B. No. 1389 was ordered not printed.

House Bill 1424 Re-referred

On motion of Senator Patman, and by unanimous consent, H. B. No. 1424 was withdrawn from the Committee on Education and re-referred to the Committee on County, District and Urban Affairs.

(Senator Schwartz in the Chair.)

House Bill 740 Ordered Not Printed

On motion of Senator Bernal, and by unanimous consent, H. B. No. 740 was ordered not printed.

House Bill 1328 Ordered Not Printed

On motion of Senator Bernal, and by unanimous consent, H. B. No. 1328 was ordered not printed.

House Bill 647 Ordered Not Printed

On motion of Senator Hall, and by unanimous consent, H. B. No. 647 was ordered not printed.

House Bill 1357 Ordered Not Printed

On motion of Senator Connally, and by unanimous consent, H. B. No. 1357 was ordered not printed.

House Bill 382 Ordered Not Printed

On motion of Senator Patman, and by unanimous consent, H. B. No. 382 was ordered not printed.

House Bill 1388 Ordered Not Printed

On motion of Senator Bernal, and by unanimous consent, H. B. No. 1388 was ordered not printed.

Senate Bill 841 Ordered Not Printed

On motion of Senator Mauzy, and by unanimous consent, S. B. No. 841 was ordered not printed.

Senate Bill 846 on First Reading

By unanimous consent, Senator Hall moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Cole	Schwartz
Connally	Snelson
Creighton	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Absent—Excused

Grover	Kennard
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The following bill was then introduced, read first time and referred to the Committee indicated:

By Senators Hall, Word, McKool, Wilson, Strong, Snelson, Creighton, Herring, Ratliff, Christie, Bates, Aikin, Hightower, Hazlewood, Watson, Harrington, Mauzy, Blanchard, Patman, Harris, Bridges, Moore and Connally:

S. B. No. 846, A bill to be entitled "An Act amending Article 281 of the Penal Code of Texas, 1925, relating to disturbing congregations; providing for prohibitions against disturbing religious meetings, defining conduct calculated to disturb religious assemblages, and increasing maximum penalties therefor; and declaring an emergency."

To the Committee on Jurisprudence.

House Bill 1424 Ordered Not Printed

On motion of Senator Patman, and by unanimous consent, H. B. No. 1424 was ordered not printed.

House Bill 362 Ordered Not Printed

On motion of Senator Bernal, and by unanimous consent, H. B. No. 362 was ordered not printed.

House Bill 1360 Ordered Not Printed

On motion of Senator Bernal, and by unanimous consent, H. B. No. 1360 was ordered not printed.

Senate Bill 39 with House Amendments

Senator Herring called S. B. No. 39 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the following House amendments before the Senate:

Committee Amendment No. 1

Amend S. B. No. 39 by striking all below the enacting clause and substituting the following:

Section 1. Article 7150, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding a Section 23 to read as follows:

23. All real and personal property, used for nursing care operations or housing for the low-income elderly, owned by a nonprofit corporation (as defined in the Texas Non-Profit Corporation Act) or a charitable trust providing nursing care, as licensed by the Texas Department of Health, and providing housing for the low-income elderly, if tax exemption or abatement is a condition for a federally guaranteed loan and if the facility:

(1) operates at least 100 licensed nursing home beds and at least 250 housing units for low-income elderly; and

(2) is designed for, necessitated by, or is involved in geriatric research programs in the areas of chronic care, paramedical personnel training, nutritional development, and programs of psychological and nutritional research for the elderly, and limited to such purpose.

Sec. 2. Article 12.03, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as last amended by Section 1, Chapter 540, Acts of the 60th Legislature, Regular Session, 1967, is amended to read as follows:

Article 12.03. Corporations exempt. The franchise tax imposed by this Chapter shall not apply to any

(a) insurance company, surety, guaranty, or fidelity company, trans-

portation company, or sleeping, palace car, and dining company now required to pay an annual tax measured by their gross receipts;

(b) corporation organized as a railway terminal corporation and having no annual net income from the business done by it; to any corporation having no capital stock and organized for the exclusive purpose of promoting the public interest of any county, city, or town, or other area within the State; to any corporation organized for the purpose of religious worship or for providing places of burial not for private profit; to any corporation organized for the purpose of holding agricultural fairs and encouraging agricultural pursuits, or for strictly educational purposes, which includes nonprofit corporations organized for the sole purpose of providing a student loan fund, or for purely public charity; to any state-chartered building and loan association; to any mutual investment company registered under the Federal Investment Company Act of 1940, as from time to time amended, that holds stocks, bonds, and other securities of other companies, solely for mutual investment purposes; to any nonprofit corporation having no capital stock and organized for the purpose of educating the public in the protection and conservation of fish, game, and other wildlife, as well as grass lands and forests; and to any nonprofit water supply or sewer service corporation organized in behalf of cities or towns, pursuant to Chapter 76, Acts of the 43rd Legislature, 1st Called Session, 1935, as amended; to any corporation organized under the Texas Non-Profit Corporation Act for the purpose of constructing, acquiring, owning, leasing, or operating a natural gas utility facility in behalf of and for the benefit of the city or residents of the city;

(c) nonprofit corporation (as defined in the Texas Non-Profit Corporation Act) or a charitable trust providing nursing care, licensed by the Texas Department of Health, and providing housing for the low-income elderly, if the facility

(A) operates at least 100 licensed nursing home beds and at least 250 housing units for low-income elderly; and

(B) is designed for, necessitated by, or is involved in geriatric research

programs in the areas of chronic care, paramedical personnel training, nutritional development, and programs of psychological and nutritional research for the elderly, and limited to such purpose.

Sec. 3. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Amendment No. 2

Amend S. B. No. 39 by striking all above the enacting clause and substituting the following:

A BILL TO BE ENTITLED

An Act relating to exempting from property taxes and franchise taxes a nonprofit corporation providing certain nursing care and certain housing for the low-income elderly, and involved in various research programs for the elderly; amending Article 7150, Revised Civil Statutes of Texas, 1925, as amended, and Article 12.03, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; providing for severability; and declaring an emergency.

Floor Amendment No. 1

Amend Committee Amendment No. 1, Senate Bill 39, by adding a new Section 3 to read as follows, and renumber the succeeding sections consecutively:

"Sec. 3. Article 7150, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding a Section 24 to read as follows:

"24. All real and personal property used by any non-profit corporation organized for the purpose of

providing homes for elderly people sixty-two (62) years of age and older which has no capital stock, where the management of its affairs is vested in a board of trustees who are selected by a church which is a strictly religious society, and where the Articles of Incorporation provide that in the event of a dissolution of the corporation all of its assets and property will go to and vest in said church."

Floor Amendment No. 2

Amend Committee Amendment No. 1 to Senate Bill 39 by adding to Section 2 a new subsection (d) to read as follows:

"(d) non-profit corporation organized for the purpose of providing homes for elderly people sixty-two (62) years of age or older which has no capital stock, where the management of its affairs is vested in a board of trustees who are selected by a church which is a strictly religious society, and where the Articles of Incorporation provide that in the event of a dissolution of the corporation all of its assets and property will go to and vest in said church."

The House amendments were read.

Senator Herring moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Cole	Schwartz
Connally	Snelson
Creighton	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Absent—Excused

Grover	Kennard
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Senate Bill 175 on Second Reading

The Senate resumed the consideration of the pending business, same

being S. B. No. 175 on its second reading and passage to engrossment.

Question—Shall S. B. No. 175 be passed to engrossment?

House Bill 265 on Second Reading

On motion of Senator Hazlewood, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 265, A bill to be entitled "An Act relating to the creation, administration, powers, duties, and financing of the Stratford Hospital District, of Sherman County, Texas; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 265 on Third Reading

Senator Hazlewood moved that the Constitutional Rule and Senate Rules 30 and 36 requiring bills to be read on three several days be suspended and that H. B. No. 265 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Cole	Schwartz
Connally	Snelson
Creighton	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Absent—Excused

Grover	Kennard
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Cole	Schwartz
Connally	Snelson
Creighton	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Absent—Excused

Grover Kennard

Co-Author of Senate Bill 502

On motion of Senator McKool, and by unanimous consent, he will be shown as Co-author of S. B. No. 502.

Committee Substitute
Senate Bill 502 on Second Reading

On motion of Senator McKool, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 502, A bill to be entitled "An Act amending Article 3265, Revised Civil Statutes of Texas, 1925, by adding two new sections thereto, entitled Section 6 pertaining to the dismissal of eminent domain proceedings after objections to the award have been filed and under certain other conditions, and Section 7, providing for payment of moving costs of certain personal property when the owner of the land is actually displaced and under certain conditions pertaining thereto; providing a severability clause; and declaring an emergency."

The bill was read second time and passed to engrossment.

Committee Substitute
Senate Bill 502 on Third Reading

Senator McKool moved that the Constitutional Rule and Senate Rule

30 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 502 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Cole	Schwartz
Connally	Snelson
Creighton	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Absent—Excused

Grover Kennard

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Reports of Standing Committees

Senator Hazlewood, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Finance, to which was referred H. B. No. 1217, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD,
Chairman
AIKIN
BERRY
HERRING
McKool
HARRINGTON
HALL
PATMAN
HARRIS
SNELSON
SCHWARTZ

WATSON
JORDAN
BRIDGES
MOORE

Senator Wilson, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Public Health, to which was referred H. B. No. 358, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WILSON,
Vice-Chairman
BERRY
BROOKS
COLE
CONNALLY
HARRINGTON
HERRING
JORDAN
McKOOL
SNELSON
WORD

Senate Bill 175 on Second Reading

The Senate resumed the consideration of the pending business, same being S. B. No. 175 on its second reading and passage to engrossment.

Pending discussion by Senator Moore of the bill, Senator Aikin occupied the Chair.

Question—Shall S. B. No. 175 be passed to engrossment?

Report of Standing Committee

Senator Ratliff, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Oil and Gas, to which was referred H. B. No. 1241, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman
BLANCHARD

CHRISTIE
COLE
CREIGHTON
HARRIS
HIGHTOWER
STRONG
WATSON

Senate Bill 830 on Second Reading

On motion of Senator Brooks, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 830, A bill to be entitled "An Act relating to posting notice of meetings of governmental or governing bodies; adding Subsection (h), Section 3A, Chapter 271, Acts of the 60th Legislature, Regular Session, 1967, as added by Section 1 of Senate Bill No. 260, Acts of the 61st Legislature, Regular Session, 1969, Article 6252-17, Vernon's Texas Civil Statutes; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 830 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 830 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Cole	Schwartz
Connally	Snelson
Creighton	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Absent—Excused

Grover Kennard

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Cole	Schwartz
Connally	Snelson
Creighton	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Absent—Excused

Grover Kennard

Senate Bill 839 on Second Reading

Senator Mauzy moved that Senate rules 13, 30, 110 and 36 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 839 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Cole	Schwartz
Connally	Snelson
Creighton	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Absent—Excused

Grover Kennard

The Presiding Officer then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 839, A bill to be entitled "An Act relating to the liability of

a person in whose name a credit card is issued; amending the Business and Commerce Code; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 839 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended, the Presiding Officer laid S. B. No. 839 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Cole	Schwartz
Connally	Snelson
Creighton	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Absent—Excused

Grover Kennard

Motion to Place Senate Bill 637 on Third Reading

Senator Connally asked unanimous consent to suspend the regular order of business and take up S. B. No. 637 for consideration at this time.

There was objection.

Reports of Standing Committees

Senator Snelson, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Commerce and Industry, to which was referred H. B. No. 1132, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass and be printed.

SNELSON, Chairman
BRIDGES
McKOOL
AIKIN
BATES

Senator Harrington, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Labor and Management Relations, to which was referred H. B. No. 436, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARRINGTON,
Vice-Chairman
WORD
HALL
RATLIFF

Senator Hall, by unanimous consent, submitted the following report:

Austin, Texas,
May 20, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs to which was referred House Bill No. 1296, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
WORD

Bills and Resolution Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

H. B. No. 12, A bill to be entitled "An Act requiring vehicles operated on divided highways of this state to be driven in the right-hand lane of the right-hand roadway except in certain instances; etc.; and declaring an emergency."

H. B. No. 212, A bill to be entitled "An Act relating to the transfer of persons under commitment to State

schools for the retarded of the Texas Department of Mental Health and Mental Retardation to mental hospitals of the Texas Department of Mental Health and Mental Retardation; etc.; and declaring an emergency."

H. B. No. 213, A bill to be entitled "An Act relating to the transfer of persons under commitment to mental hospitals of the Texas Department of Mental Health and Mental Retardation, to schools for the mentally retarded of the Texas Department of Mental Health and Mental Retardation; etc.; and declaring an emergency."

H. B. No. 369, A bill to be entitled "An Act relating to the abolition of the office of county surveyor in certain counties; and declaring an emergency."

H. B. No. 545, A bill to be entitled "An Act raising the salary and expense allowance authorized to be paid to the juvenile officer of Harrison County; etc.; and declaring an emergency."

H. B. No. 1324, A bill to be entitled "An Act relating to including certain of the waters of Toledo Bend Reservoir under the provisions of the Uniform Wildlife Regulatory Act for fishing; etc.; and declaring an emergency."

H. B. No. 1380, A bill to be entitled "An Act relating to per diem and reimbursement of directors of the Trinity Bay Conservation District; etc.; and declaring an emergency."

H. B. No. 1276, A bill to be entitled "An Act repealing Chapter 411, Acts of the 60th Legislature, Regular Session, 1967, to allow the Parks and Wildlife Department to regulate the open season for taking quail in Hemphill County; and declaring an emergency."

H. B. No. 23, A bill to be entitled "An Act providing that in calculating an economic index of the financial ability of each county to support the Foundation School Program pursuant to the provisions of Section 3, Article VI, Chapter 334, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 2922-16, Vernon's Texas Civil Statutes), the Commissioner of Education shall classify a

feed lot for cattle or other animals as a manufacturing operation; and declaring an emergency."

H. B. No. 367, A bill to be entitled "An Act to amend Article XIV of Chapter 421, Acts of the Regular Session of the 50th Legislature (the Uniform Act Regulating Traffic on Highways), as heretofore amended, by adding a new section, prohibiting the operation of slow-moving vehicles, as herein defined, on public streets and highways unless equipped with and displaying a 'slow-moving vehicle emblem' as herein defined; etc.; and declaring an emergency."

H. B. No. 130, A bill to be entitled "An Act prohibiting persons from receiving special hunting permits on wildlife management areas for two consecutive years under certain conditions; etc.; and declaring an emergency."

H. B. No. 1342, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article XVI, Section 59, Constitution of Texas, to be known as Sageglen Municipal Utility District of Harris County, Texas; etc.; and declaring an emergency."

H. B. No. 604, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Northgate Utility District'; etc.; and declaring an emergency."

H. B. No. 707, A bill to be entitled "An Act relating to the admission as evidence of certain records or copies of records and certain X-rays upon affidavit; etc.; and declaring an emergency."

H. B. No. 1278, A bill to be entitled "An Act relating to the creation, establishment, maintenance and operation of Hidalgo County Drainage District Number Two; etc.; and declaring an emergency."

H. B. No. 564, A bill to be entitled "An Act prohibiting the operation of certain modified motor vehicles; providing a penalty; and declaring an emergency."

H. B. No. 1104, A bill to be entitled "An Act creating and establishing a conservation and reclamation district

under Article 16, Section 59, Constitution of Texas, known as 'Bammel Utility District'; etc.; and declaring an emergency."

H. B. No. 434, A bill to be entitled "An Act amending Statutes relating to the operating cost formula and improvement of the education program in countywide and bi-countywide schools for the deaf; providing for an effective date of this Act; and declaring an emergency."

H. B. No. 1300, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Timber Lane Utility District'; etc.; and declaring an emergency."

H. B. No. 243, A bill to be entitled "An Act requiring the attendance of medical examiners or their duly authorized deputies at organ transplant operations; etc.; and declaring an emergency."

H. B. No. 244, A bill to be entitled "An Act relating to the gift of all or part of a human body after death for certain purposes; etc.; and declaring an emergency."

H. B. No. 245, A bill to be entitled "An Act relating to the establishment of a presumption of time of death on certain cases; etc.; and declaring an emergency."

H. B. No. 1106, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Woodland North Utility District'; etc.; and declaring an emergency."

H. B. No. 1271, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59, of the Constitution of Texas to be known as 'Harris County Utility District No. 6'; etc.; and declaring an emergency."

H. C. R. No. 89, Creating a joint interim committee to study alternative methods of attracting new industry to Texas.

(President in the Chair.)

Senate Bill 847 on First Reading

By unanimous consent, Senator Schwartz moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Cole	Schwartz
Connally	Snelson
Creighton	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Absent—Excused

Grover Kennard

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Schwartz:

S. B. No. 847, A bill to be entitled "An Act authorizing the governing boards of state-supported institutions of higher education, including public junior colleges, to charge a facilities use fee to full-time students; preventing increases in other authorized fees during the 1969-1970 academic year; providing that the revenue from this fee is to be used for faculty salaries only; and declaring an emergency."

To the Committee on Finance.

(Senator Aikin in the Chair.)

Record of Vote

On motion of Senator Harrington, and by unanimous consent, he will be recorded as voting "Yea" on the motion to suspend the rules to introduce S. B. No. 847.

Senate Bill 175 on Second Reading

The Senate resumed the consideration of the pending business, same

being S. B. No. 175 on its second reading and passage to engrossment.

Question—Shall S. B. No. 175 be passed to engrossment?

Motion to Adjourn

Senator Herring moved that the Senate stand adjourned until 10:00 o'clock a.m. tomorrow.

Question on the motion to adjourn, "Yeas" and "Nays" were demanded.

The motion was lost by the following vote:

Yeas—10

Connally	Hightower
Creighton	Moore
Harris	Ratliff
Hazlewood	Schwartz
Herring	Strong

Nays—18

Aikin	Hall
Bates	Harrington
Bernal	Mauzy
Berry	McKool
Blanchard	Patman
Bridges	Snelson
Brooks	Watson
Christie	Wilson
Cole	Word

Absent

Jordan

Absent—Excused

Grover Kennard

House Concurrent Resolution 102 on Second Reading

On motion of Senator Strong, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

H. C. R. No. 102, In memory of Brady P. Gentry, and naming a free-way in his honor.

The resolution was read.

On motion of Senator Strong, and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

House Bill 1296 Ordered Not Printed

On motion of Senator Hazlewood, and by unanimous consent, H. B. No. 1296 was ordered not printed.

House Bill 436 Ordered Not Printed

On motion of Senator Bernal, and by unanimous consent, H. B. No. 436 was ordered not printed.

Senate Bill 175 on Second Reading

The Senate resumed the consideration of the pending business, same being S. B. No. 175 on its second reading and passage to engrossment.

Question—Shall S. B. No. 175 be passed to engrossment?

(President in the Chair.)

Senate Bill 841 on Second Reading

Senator Mauzy moved that Senate Rules 13, 30, 110 and 36 and the Constitutional Rule requiring bills to be read in three several days be suspended and that S. B. No. 841 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Cole	Schwartz
Connally	Snelson
Creighton	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Absent—Excused

Grover	Kennard
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The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 841, A bill to be entitled "An Act relating to workmen's compensation insurance for state employees; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 841 on Third Reading

The Constitutional Rule requiring bills to be read on three several days

having been suspended the President laid S. B. No. 841 before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Memorial Resolutions

S. R. No. 835—By Senator Hightower: Memorial resolution for Sergeant James Warren Smith.

S. R. No. 836—By Senator Hightower: Memorial resolution for Second Lieutenant James D. Carter.

S. R. No. 837—By Senator Hightower: Memorial resolution for Captain Donald R. Blair.

S. R. No. 838—By Senator Hightower: Memorial resolution for Specialist First Class Jose Montemayor.

S. R. No. 839—By Senator Hightower: Memorial resolution for Norman Smoots.

S. R. No. 840—By Senator Hightower: Memorial resolution for HM3 David D. Overstreet.

S. R. No. 841—By Senator Hightower: Memorial resolution for Captain David W. Watson.

S. R. No. 842—By Senator Hightower: Memorial resolution for Captain James Burl "Butch" Hansard.

S. R. No. 843—By Senator Hightower: Memorial resolution for Private Billy Edward Yarbrough.

S. R. No. 844—By Senator Hightower: Memorial Resolution for Specialist 4th Class Jack William Osborn.

S. R. No. 845—By Senator Hightower: Memorial resolution for Sergeant Joe Pena, Jr.

S. R. No. 846—By Senator Hightower: Memorial resolution for Lance Corporal Jimmy Ardell Awalt.

S. R. No. 847—By Senator Hightower: Memorial resolution for Second Lieutenant Edward Harold Fox.

S. R. No. 848—By Senator Hightower: Memorial resolution for PFC. Jose Angel Reyes.

S. R. No. 849—By Senator Hightower: Memorial resolution for Jimmy Don Roberson.

S. R. No. 850—By Senator Hightower: Memorial resolution for Marine Corporal Raymond S. Joy.

S. R. No. 851—By Senator Hightower: Memorial resolution for Lance Corporal Dwight Sanford Howell.

S. R. No. 852—By Senator Hightower: Memorial resolution for First Lieutenant Robert Earl Malone.

S. R. No. 855—By Senator Watson: Memorial resolution for Mrs. B. F. Wilcox.

Welcome and Congratulatory Resolutions

S. R. No. 853—By Senator Watson: Extending appreciation to Gordon Rountree for his contributions to his community and to the State of Texas.

S. R. No. 854—By Senator Watson: Extending best wishes for a speedy recovery to Engineman Michael R. Hebert.

S. R. No. 856—By Senator McKool: Commending James Cannaday for his bravery in saving the life of Randy Hall.

S. R. No. 857—By Senator Brooks: Extending appreciation to the editors and sponsors of Renascence magazine for their endeavor and achievements.

S. R. No. 858—By Senator Harrington: Extending welcome to students of Better Government Associations of Jefferson County.

S. R. No. 859—By Senator Harrington: Extending welcome to Distributive Education Clubs of Beaumont.

S. R. No. 860—By Senator Watson: Extending welcome to Otis Gardner, et al.

S. R. No. 861—By Senator Watson: Extending welcome to J. Ludick, et al.

S. R. No. 862—By Senator Herring: Extending welcome to sponsors and students of Highland Park Baptist Kindergarten, including Miss Beth Ann Schnabel.

S. R. No. 863—By Senator Herring: Extending welcome to sponsors and students of Highland Park Elementary School, including Miss Michelle Davis.

S. R. No. 864—By Senator Snelson: Extending welcome to Sheryl Harris and Melinda Harris.

S. R. No. 866—By Senator Brooks: Extending welcome and privileges of the floor for the day to Mrs. J. O. Maddox of Houston.

S. R. No. 867—By Senator Herring: Extending welcome to sponsor and students of Eanes School of Travis County.

S. R. No. 868—By Senator Herring: Extending welcome to The Irving Study Club of Lockhart.

S. R. No. 869—By Senator Schwartz: Extending welcome to Dr. and Mrs. Harley Courtney, parents of Senate Page, Charles Courtney.

S. R. No. 871—By Senator Jordan: Extending welcome and good wishes to members of Neighborhood Youth Corps of Houston.

S. R. No. 872—By Senator Watson: Extending welcome and privileges of the floor to Mr. and Mrs. Charles Harris of Waco.

S. R. No. 873—By Senator Watson: Extending welcome and privileges of the floor to Robert Gage of Waco.

S. R. No. 874—By Senator Blanchard: Extending best wishes to Dan and Lucille Ogletree on their dedicated careers as teachers.

Adjournment

On motion of Senator Bridges the Senate at 4:55 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

May 20, 1969

S. C. R. No. 83

S. B. No. 243